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## Family of Anchorage man killed by police sues city and officers for wrongful death

Bishar Ali Hassan, 31, was shot multiple times during a 2019 altercation.



KTUU photo. (KTUU)

By [Megan Pacer](#)

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ANCHORAGE, Alaska (KTUU) - The family of a man shot and killed by Anchorage police two years ago has filed a wrongful death lawsuit against the Municipality of Anchorage and three Anchorage Police Department officers, claiming they used excessive force and violated the man's rights.

Bishar Ali Hassan, 31, was [killed on April 1, 2019 in an altercation with Anchorage police](#) near 16th Avenue and A Street in Anchorage. Officers Nathan Lewis, Matthew Hall and Brett Eggiman, who all fired their weapons during the incident, have been named as defendants in the lawsuit along with the municipality, according to court documents.

The complaint, filed by Rex Lamont Butler and Associates Inc. on behalf of Hassan's mother and brother, seeks compensatory and punitive damages for violating Hassan's constitutional rights. The plaintiffs filed the complaint on March 29.

The family makes 11 claims for relief in the civil rights action, including battery, negligence, making a false arrest, intentional infliction of emotional distress, and liability on the part of the city for failure to properly train the involved officers and for having an unconstitutional custom or policy.

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[responded to calls](#) about a man acting erratically and waving a gun around in a walmart parking lot before boarding a bus to the location where he was eventually shot and killed.

According to police at the time, Hassan ignored their commands and pulled a replica-style BB gun from his waistband. Police said he pointed it toward them.

"It looks very much like a real pistol," Police Chief Justin Doll said during a news conference at the time.

The complaint, however, alleges that Hassan had audibly told one of the responding officers that he had a gun, and that it was not real. According to court documents, the complaint alleges that Hall's police recorder captured Hassan saying "that he had a gun that was not real."

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"Officer Hall heard or should have heard (Hassan) say that he had a gun that was not real but a toy," the complaint reads.

In the complaint, plaintiffs allege that the three officers did not give a verbal warning that deadly force would be used prior to opening fire. They claim the officers did not issue "appropriate commands" to Hassan "before or even after shooting him multiple times."

The complaint alleges that the three officers continued to shoot "after it was obvious or after it should have been obvious to them" that Hassan had dropped the replica gun and fallen to the ground.

In the lawsuit, the family seeks damages in excess of \$20 million, including survival damages and wrongful death damages under both federal and state law. The family also seeks damages for funeral expenses and loss of financial support.

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Additionally, the complaint seeks punitive damages against the three officers and the city, as well as attorneys' fees.

"We reviewed the (dash camera) video of the shooting just over, and over, and over again and, we just ultimately came to the conclusion that we would file the lawsuit on behalf of the family, essentially for excessive force," Butler said Thursday.

Butler reiterated the assertion that Hassan had showed the officers that the gun he had was a toy, or not real.

"He pulled it out and ... showed it to them flat out in his hand," Butler said. "Not pointing it, but flat out in his hand. And they executed him, right there on the spot."

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Butler said he understands that police officers have a "right and expectation that they will go home to their families each day." That's something he believes in, he said. But Butler asserted that the problem with the incident was that Hassan had not committed any crime.

The law, Butler said, is that a person must notify an officer if they have a gun. Perhaps a better approach than the one Hassan took would have been better, he said, but Butler maintained that Hassan didn't have experience reacting to that kind of incident and that he was trying to comply with what he thought officers wanted.

The state of Alaska had concluded its own investigation and found no wrongdoing on the part of the officers, Butler said. The statute of limitations on the case was close to running out when his office filed the complaint, he said.

Butler said his office will officially serve the city some time next week.

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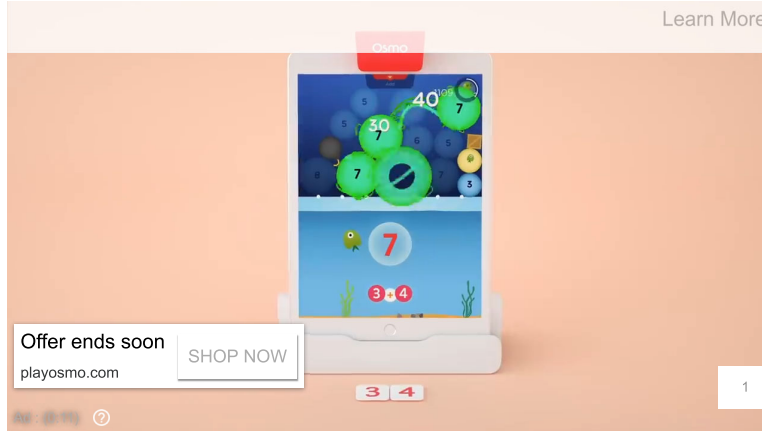
appearance on a 2016 misdemeanor charge.

People who know him told Alaska's News Source [at the time of the shooting](#) that Hassan was well-known within Anchorage's Somali community. They said he "sometimes had a difficult time communicating, due to some cognitive and mental health issues," along with a language barrier.

*Correction: This story has been updated to correct an introduction that incorrectly stated the shooting happened last year, rather than two years ago.*

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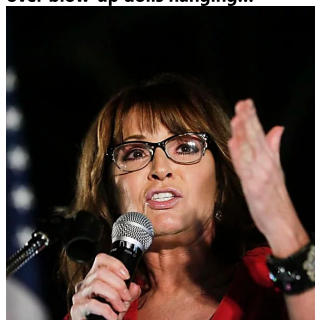
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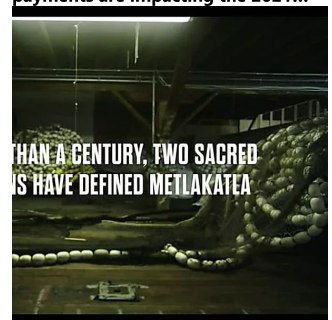
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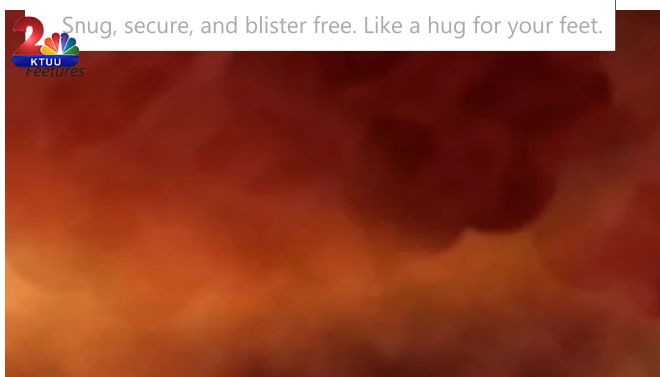


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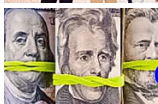
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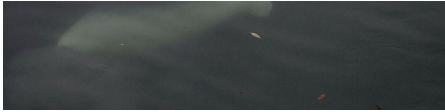
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